App. F. IX-4

1927. (Courts)

File No. 38-27.

Serial Nos. 1 - 4

Previous References
4224-26 (1-2)
169-4 (1-2)
113-22 (1-2)
Later References

PRESERVED

General and Revenue Secretariat.

Serial Nos. Four

Part B for September 1927

SUBJECT

Addendum to Rules of practice nos. 5 and 6 re the inclusion of proceedings under Section 4 of the criminal Tribes Regulation VII of 1916 in the criminal miscellaneous Register.

G.O. No. P. 1495, 14-9-27. To the Regr. Chief Court

Sanctioned.

Manasvamy Iyengar
20-10-27

(4 R. S. III -1] 1927-28

GENERAL AND REVENUE SECRETARIAT.

Courts

NOTES.

File No. 38-27

FILE HEADING.

Addendum to Rules of practice criminal, nos 5 and 4 re the maintenance of Proceedings under section 7 of the Criminal Tribes Regulation VIII of 1916 in the Criminal Miscellaneous Register

From

Medical Assistant-

Note No. 1227 Dated 21-7-27 Received 26-7-27

Diary No. 538	Enclos. 1	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Recommends that enquiries under section 7 of the Criminal Tribes Regulation may be entered in the Criminal Miscellaneous Register - no III - and requests sanction to the accompanying addenda to Rules of practice Criminal - nos 5 & 4 adding the said enquiries to the list.

NOTES AND ORDERS.

Submitted with a draft

30/7

1/8

1) Please put up copies of the Rules of Practice 4 & 5 referred to in the P.W.D.

3/8

NOTES—First Sheet.

WD.1881—GPB—30 000—1-8-21

General and Revenue Secretariat. | No. File No. 386 of 1927

Serial No.

5) Sent with a copy of the Criminal R.P. no 4 of 1878. R.P. no 5 is not even available in the Chief Court

6) In the R.P.4. Put up, no notes are ~~mentioned~~ added to Quarterly Statement no 4. I find that such notes are found only in the manual. How Information may be obtained as to the various R.P's under which these instructions were added to the Quarterly Statement 4. Register III may be obtained

6/8

5 Sent with abstr.

6) Issue

2 To the Deputy Chief Court

Dop 957 dt 17-8-27

To Request to forward copies of the addenda etc

Sent

NOTE—Contn. sheet.

-1978

App. F. III—2]

General and Revenue Secretariat. | File No. 38 of 1927.

Serial No.

3

From

The Registrar Chief Court

Letter No 1222 D 19-5-27

Forwards copies of addenda to Rules of Practice nos 4 & 5 Calls for

Draft note repeat para 4 above

6/

25/8/27

28/8

5) The Registrar Chief Court recommends that enquiry under Section 7 of the Criminal Tribes Regulation should be entered in Reg no II (page 20 vol II General Rules & orders - Criminal) and in the Quarterly Statement no 4.

He therefore proposes addendum to the Rules of practice nos 4 & 5.

6) May be approved. Draft sent.

7) Case is on Hearing list of 1st member

1978

6/9

6/9

8/9

28/8/27

NOTE—Contn. sheet

WD 0324—GPE—60,000—24-5-27

General and Revenue Secretariat.

File No. 38 of 1927.

Serial No.	
4	To the Registrar Chief Court Sop. 1495 dt 14-9-27 Sanctions the addenda to the Rules & Practice criminal.

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

538
P 27

Telgm:
"JUSTICE"

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore 21st July 1927.

R. O. C. No. 427
Dis.

Ch 38-27-1

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. NAGAPPA, Esq., Bar-at-law.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Law Department,
BANGALORE.

Sir,

I am directed to state that during the recent inspection, by the Chief Judge, of the Court of the Special First Class Magistrate, Kolar, it was noticed that an enquiry under Section 7 of the Criminal Tribes Regulation VII of 1916, had been entered in Criminal Register No. III (Miscellaneous Cases) and given a miscellaneous number. According to Rule of Practice No. 5 dated 12th June 1878, as amended up to 22nd March 1927, such cases are not required to be given Miscellaneous numbers. But on a perusal of the records of the case, the Chief Court considers it appropriate that such proceedings should be included among those entered in Criminal Register III, inasmuch as the Magistrate making enquiry has to issue processes, and record evidence before passing an order under Section 7. The District Magistrate, Kolar, also recommends the inclusion of such cases in Criminal Register No. III.

I am therefore to request that Government may be pleased to accord sanction to the accompanying addendum to Rule of Practice 5 as well to the addendum to Rule of Practice 4, which the present proposed addendum to Rule of Practice 5 necessitates.

I have the honour to be,
Sir,
Your most obedient servant.

N Srinivasaraga

KVN/-

271

2

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addendum dated the ....., to Rule of Practice 5, dated the 12th June 1878, as amended by corrigendum dated 30th October 1920, addenda dated the 5th August 1921 and 13th July 1923 and addendum et corrigendum dated 22nd March 1927.

The Chief Court directs that the following be added below No. 18, in the list of cases given in the note to the revised form of Register No. III (Miscellaneous)

" 19. Proceedings under Section 7 of the Criminal Tribes Regulation VII of 1916".

Addendum dated ..... to Rule of Practice 4, dated the 31st May 1878, as amended by corrigendum dated the 30th October 1920 and addenda dated 5th August 1921, 13th July 1923 and 22nd March 1927.

The Chief Court directs that the following be added below No. 18 in Column 1 of the revised quarterly statement No. 4:-

" 19. Proceedings under Section 7 of the Criminal Tribes Regulation VII of 1916".

N Srinivasaiyangar
for: REGISTRAR.

KVN/-

APP. F. VI. Gl.]

UBJECT.....

.....

.....

Section C5

File No. 38-27

Serial No. 2

No. 1957

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *192*

To

The Registrar, High Court.

Sir

Date of issue 17/8/27

Signed by M. T.

With reference your letter no Roc/227 of 21.7.27 ~~forwarding~~ ~~forwarded~~ requesting sanction to certain addenda to criminal Rules of practice nos 4 and 5 of 31-5-1878 and 12-6-1878 Respectively directing the inclusion of proceedings under the criminal Rules Register in the Registers no III (miscellaneous) I am directed to request you to kindly forward copies of the addenda adding the quarterly miscellaneous returns to the statements and Registers prescribed by the Rules of practice referred to above

over

I have the

List of enclosures.....

Copied by.....

Examined by.....

16/8/27

WD 0562 -GPB—31,000—17-8-25

R/181 VI

18/8

1008/P807 570

Telgm:
"JUSTICE"

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore....19th..August..192 7.

R. O. C. ~~Dis.~~ No. 1227 26-7 Enc 7

Cts 38-27-3

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. NAGAPPA, Esq., Bar-at-law.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Law Department,
BANGALORE.

Sir,

I am directed to acknowledge the receipt of your letter No. P. 957/Cts. 38-27-2, dated the 17th August 1927, and in reply to enclose herein the marginally noted addenda to Rules of Practice 4 and 5 (Criminal) as requested.

Addenda dated 30-10-1920.	to Criminal Rules of Practice 4 & 5.	
,, ,, 5- 8-1921.		
,, ,, 13- 7-1923.		
,, ,, 22- 3-1927.		

I have the honour to be,
Sir,
Your most obedient servant.

KVN/-

For REGISTRAR.

Criminal Side.

Corrigendum dated the 30th October 1920, to Rule of Practice No. 5, dated the 12th June 1878.

In supersession of the Rules of Practice Nos. 43, dated the 27th November 1885 57, dated 9th January 1892; Circular letters Nos. 29, dated 6th December 1881, 102, dated 20th May 1892, 139, dated 17th November 1898, 157, dated 18th July 1904, and the Chief Court Proceedings dated the 10th August 1895, the Chief Court directs that the following form be substituted for Register No. III, prescribed by the said Rule of Practice:—

Register No. III (*Criminal*).

Register of Miscellaneous Cases received in the Court of

Number	Name and residence, of petitioner, if any, or designation of officer by whom reported.	Name and residence of defendant	Section and Chapter of the Criminal Procedure Code under which Proceedings are instituted	Result	Date of			Remarks.
					Receipt of petition or report	Commencement of inquiry	Order.	
1	2	3	4	5	6	7	8	9

Note—The following cases will be entered in this register:—

1. Proceedings against witnesses under Chapter VI C and Section 485, Criminal Procedure Code.
2. Proceedings under Chapter VIII to prevent breach of the peace (Sections 106, 107, 108, 112, 119 and 123, Criminal Procedure Code).
3. Proceedings under Chapter VIII, security for good behaviour (Sections 109, 110, 112, 119 and 123, Criminal Procedure Code).
4. Proceedings against public nuisances under Chapter X, Criminal Procedure Code.
5. Possession under Chapter XII, Criminal Procedure Code.
6. Frivolous or vexatious accusations summarily dealt with under Section 250.
7. Non-attendance of jurors or assessors under Section 332, Criminal Procedure Code.
8. Maintenance under Chapter XXXVI, Criminal Procedure Code.
9. Forfeiture of bail or recognizance under Chapter XLII, Criminal Procedure Code.
10. Proceedings under Section 563 against convicted offenders released under Section 562, Criminal Procedure Code.
11. Proceedings on complaints under the Breach of Contract Act.
12. Proceedings under Sections 13 and 15 of the Lunacy Regulation.
13. Proceedings for disposal of property under Sections 518 and 523, Criminal Procedure Code.
14. Proceedings under Section 480 (contempt of court), 512 (against an accused who has absconded) and Section 552 of the Criminal Procedure Code.

The date of institution in miscellaneous proceedings is the date on which any proclamation is published, process issued or order made, or on which the accused is produced in Court or is called upon to show cause why an order should not be made against him.

As regards some of the cases classed as miscellaneous the terms "conviction" and "discharge" (columns 6 and 7) of the Quarterly Statement No. IV can only be arbitrarily defined, but as a general rule it may be said that a person should be regarded as "convicted" whenever an order adverse to him is passed as final or is made absolute. If proceedings terminate without such an adverse order the person who, but for this termination might have been the object of such adverse order, should be regarded as "discharged".

8

IN THE CHIEF COURT OF MYSORE AT BANGALORE

CRIMINAL SIDE.

Addendum dated 5th August 1921, *to Rule of Practice No.* 5, *dated the* 12*th June* 1878 *as amended by corrigendum dated the* 30*th October* 1920.

The Chief Court directs that the following be added below No. 14, in the list of cases given in the note to the revised form of Register No. III (Miscellaneous) :—

"15. Applications for transfer of cases under Section 528 of the Code of Criminal Procedure."

N. B. SRINIVASIENGAR,
For ***Registrar***.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addendum dated 13th July 1923 to Rule of Practice No. 5, dated 12th June 1878, as amended by Corrigendum dated 30th October 1920 and addendum dated 5th August 1921.

The Chief Court directs that the following be added below No. 15, in the list of cases given in the note to the revised form of Register No. III (Miscellaneous) :—

"16. Applications for sanction to prosecute under Section 195 of the Code of Criminal Procedure."

"17. Proceedings relating to admission to or reduction of Bail under Section 498 of the Code of Criminal Procedure."

A. SREENIVASARAGAVACHARI,
Registrar.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addendum *et* corrigendum dated 22nd March 1927, to Rule of Practice No. 5, dated the 12th June 1878, as amended by corrigendum dated 30th October 1920 and addenda dated 5th August 1921 and 13th July 1923.

The Chief Court directs that the following be added below No. 17 in the list of cases given in the note to the revised form of Register No. III (Miscellaneous).

"18. Appeals against notice of demand issued—Section 86 of the Mysore Municipal Regulation, VII of 1906."

Substitute "Act or Regulation and Section of the Act or Regulation under which preferred" for the present heading of column 4 of Register No. III.

A. SREENIVASARAGAVACHARI,
Registrar.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addenda dated 5th August 1921, *to Rule of Practice No.* 4, *dated* 31*st May* 1878, *as amended by corrigendum dated* 30*th October* 1920.

The Chief Court directs :—

1. That the following be added below No. 14, in column 1 of the revised quarterly statement No. 4 :—

"15. Applications for transfer of cases under Section 528 of the Code of Criminal Procedure" and

2. That the following be also added to the note to the said statement :—

"In regard to applications for transfer of cases the columns 5 to 11 will be left blank, a note being made in column 12 as to the number of such applications granted and rejected."

N. B. SRINIVASIENGAR,
For *Registrar.*

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

12

Addendum dated 13th July 1923 to Rule of Practice No. 4, dated 31st May 1878, as amended by Corrigendum dated 30th October 1920 and addendum dated 5th August 1921.

The Chief Court directs that the following be added below No. 15 in column 1 of the Revised Quarterly Statement No. 4 :—

"16. Applications for sanction to prosecute under Section 195 of the Code of Criminal Procedure."

"17. Proceedings relating to admission to or reduction of Bail under Section 498 of the Code of Criminal Procedure."

A. SREENIVASARAGAVACHARI,
Registrar.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addendum dated 22nd March 1927, to Rule of Practice No. 4, dated 31st May 1878, as amended by corrigendum dated 30th October 1920 and addenda dated 5th August 1921 and 13th July 1923.

The Chief Court directs that the following be added below No. 17 in column 1 of the Revised Quarterly Statement :—

"18. Appeals against notice of demand issued—Section 86 of the Mysore Municipal Regulation, VII of 1906."

A. SREENIVASARAGAVACHARI,
Registrar.

14

G.R..S VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* *192*

Date of issue 14.9.27

Signed by .....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section Cr5

File No. 38-27

Serial No. 4

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Letter no Roc 12278 21.7.27 from the Regr Bhupeant, stating that according to Rule 9 of Rules no S 9 12.6.1878 as amended upto 22.3.1927, enquiries under section 74 of the Criminal Jrihe, Regulation VII of 1916 are not to be given Miscellaneous numbers; but the Bhupeant considers it appropriate that Order Thereon No. such proceedings should be recorded among those ~~recorded~~ entered in Criminal Register II in cases where the magistrate making enquiry has to record evidence and record evidence before

15—

passing an order under section 7 and requesting sanction to the accompanying addendum to Rule of practice no 5 as well as to the addendum to Rule of practice 4 ~~which is~~ ~~must be prepared~~ addendum to Rule of practice no 5 ~~necessarily~~.

Order HofP 1495.

Sanctioned.

[illegible] Lawley

to

The Regr Chief Clerk under ACL

2017 JPM 118

List of enclosures.

Copied by

Examined by

WD 1883—GPB—1,000,00—21-12-21